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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT MCCARTHY, An Individual,

Plaintiff,

V.

**RAF, INC., d.b.a. DOWNTOWN AUTO
CENTER a.k.a. DOWNTOWN TOYOTA
SUBARU SAAB; RALPH A. FATTORE
d.b.a. DOWNTOWN AUTO CENTER a.k.a.
DOWNTOWN TOYOTA SUBARU SAAB;
RAF, INC.; RALPH A. FATTORE;
PATTERSON RANCH, INC.; And DOES 1
THROUGH 10, Inclusive
Defendants.**

Case No.: C06-1265 MJJ

ORDER granting:

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF ONLY
DEFENDANT PATTERSON RANCH,
INC. AND ORDER THEREON**

[Fed.R.Civ.P. Rule 41(a)(1)]

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1 **IT IS HEREBY REQUESTED** by **ROBERT MCCARTHY**, Plaintiff, via his
2 attorneys of record that, pursuant to Federal Rules of Civil Procedure, Rule 41 (a)(1), this Court
3 enter a dismissal without prejudice of only Defendant **PATTERSON RANCH, INC.** from
4 Plaintiff's Complaint, Case No C06-1265 MJJ. Plaintiff's action shall continue against the
5 remaining defendants.

6 **IT IS SO REQUESTED.**

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9 Dated: 4/6/06

By: David C. Wakefield

PINNOCK & WAKEFIELD, APC

DAVID C. WAKEFIELD, ESQ.

Attorneys for PLAINTIFF

12
13 **ORDER ON NOTICE OF DISMISSAL WITHOUT PREJUDICE OF ONLY**
14 **DEFENDANT PATTERSON RANCH, INC.**

15 **PURSUANT TO THE ABOVE REQUEST, IT IS HEREBY ORDERED** that only
16 Defendant **PATTERSON RANCH, INC.** is dismissed without prejudice from Plaintiffs'
17 Complaint, Case No C06-1265 MJJ.

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19 **IT IS SO ORDERED.**

20 Dated: 4/11/2006

Martin J. Jenkins

HONORABLE MARTIN J. JENKINS
U.S. DISTRICT COURT JUDGE